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SENATE BILL 824

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

CARLOS R. CISNEROS

AN ACT

RELATING TO COMMISSIONS; CREATING A CESAR ESTRADA CHAVEZ
COMMISSION TO DEVELOP, PROMOTE, COORDINATE AND REVIEW PLANS AND
ACTIVITIES FOR THE CESAR ESTRADA CHAVEZ LEGAL HOLIDAY; CREATING
A FUND; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 12-5-2 NMSA 1978 (being Laws 1969,
Chapter 114, Section 1, as amended by Laws 1987, Chapter 3,
Section 1 and also by Laws 1987, Chapter 309, Section 1) is
amended to read:

"12-5-2. LEGAL HOLIDAYS--DESIGNATION.--Legal public
holidays in New Mexico are:

- A. New Year's day, January 1;
- B. Martin Luther King, Jr.'s birthday, third Monday

in January;

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1 C. Washington's and Lincoln's birthday, President's
2 day, third Monday in February;

3 D. Cesar E. Chavez Day, last Monday in March;

4 [~~D.~~] E. Memorial day, last Monday in May;

5 [~~E.~~] F. Independence day, July 4;

6 [~~F.~~] G. Labor day, first Monday in September;

7 [~~G.~~] H. Columbus day, second Monday in October;

8 [~~H.~~] I. Armistice day and Veterans' day, November
9 11;

10 [~~I.~~] J. Thanksgiving day, fourth Thursday in
11 November; and

12 [~~J.~~] K. Christmas day, December 25. "

13 Section 2. [NEW MATERIAL] CESAR ESTRADA CHAVEZ
14 COMMISSION-- CREATED-- DEFINED-- MEMBERS-- TERMS-- COMPENSATION. --

15 A. The "Cesar Estrada Chavez commission" is created.
16 The purpose of the commission is to develop, promote, coordinate
17 and review statewide plans and activities for the annual
18 commemoration and celebration of the birthday of Cesar Estrada
19 Chavez in accordance with Section 12-5-2 NMSA 1978.

20 B. As used in Sections 2 through 5 of this act,
21 "commission" means the Cesar Estrada Chavez commission.

22 C. The commission shall be comprised of thirteen
23 members as follows:

24 (1) four members appointed by the governor;

25 (2) one member appointed by the president pro

1 tempore of the senate;

2 (3) one member appointed by the minority leader
3 of the senate;

4 (4) one member appointed by the speaker of the
5 house of representatives;

6 (5) one members appointed by the minority
7 leader of the house of representatives;

8 (6) the state treasurer or his designee;

9 (7) the secretary of state or his designee;

10 (8) a Native American appointed by the New
11 Mexico office of Indian affairs;

12 (9) the director of the human rights division
13 of the labor department or his designee; and

14 (10) the chairman of the state corporation
15 commission or his designee.

16 D. Members of the commission shall be appointed
17 initially for terms as follows: seven members shall be
18 appointed for terms of two years and six members shall be
19 appointed for terms of four years. The initial terms shall be
20 determined by random drawing. After the expiration of the
21 initial terms, all members shall be appointed for four-year
22 terms. The initial commission shall be appointed within forty-
23 five days from the effective date of this act. Vacancies
24 resulting from the death or resignation of a member shall be
25 filled by appointment by the commission chairman for the

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1 unexpired portion of the term of the member creating the
2 vacancy. In filling any vacancy, the commission chairman may
3 accept recommendations from the person who originally appointed
4 the member creating the vacancy.

5 E. The members of the commission shall receive no
6 compensation for their service.

7 F. The members of the commission shall select a
8 chairman from the members of the commission.

9 G. The commission shall appoint an executive
10 director to coordinate all activities on the commission's
11 behalf.

12 Section 3. [NEW MATERIAL] CESAR ESTRADA CHAVEZ FUND--
13 CREATED. --

14 A. There is created within the state treasury for
15 the commission a fund that shall be designated as the "Cesar
16 Estrada Chavez fund" that shall consist of appropriations,
17 endowments and bequests.

18 B. Money from the fund shall be disbursed upon
19 warrant of the secretary of finance and administration pursuant
20 to vouchers submitted by the executive director of the
21 commission for the purpose of carrying out the provisions of
22 this act.

23 Section 4. [NEW MATERIAL] DUTIES OF THE COMMISSION. -- The
24 duties of the commission shall include the following:

25 A. to develop a plan for the commemoration and

1 celebration of the official legal holiday honoring Cesar Estrada
2 Chavez;

3 B. to develop and submit to the governor and the
4 legislature recommendations for specific commemorative
5 activities to be undertaken by the state for the Cesar Estrada
6 Chavez holiday;

7 C. to coordinate state plans and activities with
8 federal plans and activities for the commemoration and
9 celebration of the Cesar Estrada Chavez holiday;

10 D. to develop, with other agencies of the state, an
11 interpretive program that explores the historical, social,
12 political and cultural themes associated with the life and works
13 of Cesar Estrada Chavez;

14 E. to develop and acquire interpretive materials and
15 publications on the significance of Cesar Estrada Chavez' work
16 and develop a commemorative program for state employees, school
17 children and the general public;

18 F. to create a process to facilitate the
19 implementation of the master plan project and other
20 recommendations made by the commission;

21 G. to prepare and provide to the general public
22 advice, assistance and information on the Cesar Estrada Chavez
23 holiday activities recommended by the commission;

24 H. to submit other studies, reports and
25 recommendations to the governor and the legislature as are

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necessary with respect to activities for the continued
commemoration and celebration of Cesar Estrada Chavez; and

I. to accept endowments and bequests for the Cesar
Estrada Chavez fund.

Section 5. COMMISSION REPORT.--The commission shall make
an initial report to the governor and the legislature of its
findings, conclusions, proposals and recommendations for the
observance of the Cesar Estrada Chavez holiday within ninety
days of the effective date of this act. The commission shall
submit an annual report of its activities to the legislature no
later than December 1 of each year. The first annual report
shall be submitted no later than December 1, 1997.

Section 6. EMERGENCY.--It is necessary for the public
peace, health and safety that this act take effect immediately.

1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
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5 March 5, 1997
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7 Mr. President:
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9 Your PUBLIC AFFAIRS COMMITTEE, to whom has been
10 referred

11 SENATE BILL 824
12

13 has had it under consideration and reports same with
14 recommendation that it DO PASS, and thence referred to the
15 FINANCE COMMITTEE.
16

17 Respectfully submitted,
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22 _____
23 Shannon Robinson, Chairman
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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

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Date _____

The roll call vote was 4 For 1 Against

Yes: 4

No: Adair

Excused: Garcia, Ingle, Vernon, Smith

Absent: None

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1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
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5 March 8, 1997
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7 Mr. President:
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9 Your FINANCE COMMITTEE, to whom has been referred
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11 SENATE BILL 824
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13 has had it under consideration and reports same with
14 recommendation that it DO PASS.
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16 Respectfully submitted,
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21 Ben D. Altamirano, Chairman
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24 Adopted _____ Not Adopted _____
25 (Chief Clerk) (Chief Clerk)

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Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Aragon, Carraro, Ingle, McKibben, Smith

Absent: None

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**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

March 18, 1997

SENATE FLOOR AMENDMENT number _____ to SENATE BILL 824

AMENDMENT sponsored by SENATOR VERNON

1. On page 2, line 3, strike the word "Monday" and insert in lieu thereof the word "Saturday".

Senator L. Skip Vernon

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

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**State of New Mexico
House of Representatives**

**FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997**

March 15, 1997

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8 Mr. Speaker:

9 Your VOTERS AND ELECTIONS COMMITTEE, to whom has
10 been referred

11
12 SENATE BILL 824, as amended

13 has had it under consideration and reports same WITHOUT
14 RECOMMENDATION, and thence referred to the
15 APPROPRIATIONS AND FINANCE COMMITTEE.

16
17 Respectfully submitted,

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21 _____
22 Edward C. Sandoval, Chairman
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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HVEC/SB 824a

Page 14

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 1 Against

Yes: 7

No: Lutz

Excused: Lujan, Madalena, Nicely, Sanchez

Absent: None

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 18, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to
whom has been referred

SENATE BILL 824, as amended

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Max Coll, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 14 For 0 Against

Yes: 14

Excused: Marquardt, Picraux, Salazar

Absent: None

M \S0824

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[bracketed material] = delete